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10/800,473	03/15/2004	Robert L. Rae	18279-14446	1521
758 7590 04/16/2009 FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041				
EXAMINER				
LIU, BEN H				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/800,473

**Applicant(s)**

RAE ET AL.

**Examiner**

BEN H. LIU

**Art Unit**

2416

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14, 16, 19, 21, 22, 24, 30-32, 34, 36 and 38-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14, 16, 19, 21, 22, 24, 30-32, 34, 36 and 38-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-849)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 04 February 2009
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This is in response to an amendment/response filed on February 4<sup>th</sup>, 2009.
2. Claims 1-12, 14, 16, 19, 21, 22, 24, 34, 35, and 38-40 have been amended.
3. Claims 15, 17, 18, 25-29, and 37 have been cancelled.
4. Claims 41-43 have been added.
5. Claims 1-14, 16, 19, 21, 22, 24, 30-32, 34, 36, 38-43 are currently pending.

### ***Information Disclosure Statement***

6. The information disclosure statement (IDS) submitted on 04 February, 2009 was considered by the examiner. The information disclosure statement (IDS) submitted for parent applications 09/905,014 and 10/642,532 were also considered. In the Applicant's remarks submitted 04 February, 2009, the Applicant requested consideration of the information disclosure statement (IDS) submitted for parent application 09/900,484. However, application 09/900,484 does not appear to be a parent application of the instant applicant. Therefore, the information disclosure statement (IDS) for 09/900,484 was not considered.

### ***Double Patenting***

7. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible

harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

8. Claims 1-14, 16, 19, 21, 22, 24, 30-32, 34, 36, 38-43 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 26-29, 43-52, 54, 56, and 58 of copending Application No. 09/905,014. Although the conflicting claims are not identical, they are not patentably distinct from each other because both applications disclose a plurality of telephone terminals over a Voice over Internet Protocol

network with a remote call control system for processing VoIP and non-VoIP and imposing call restrictions.

9. Claims 1-14, 16, 19, 21, 22, 24, 30-32, 34, 36, 38-43 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 3, 12, 13, 15, 17-22, 25, 32, 40-42, 59, 62, 63, 71 and 96-98 of copending Application No. 10/642,532. Although the conflicting claims are not identical, they are not patentably distinct from each other because both applications disclose a call processing platform including a multiple telephone terminals in a prison facility that detects unauthorized call activity.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

### *Claim Rejections - 35 USC § 103*

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
12. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
13. Claims 1-14, 16, 19, 21, 22, 24, 30-32, 34, 36, 38-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller et al. (U.S. Patent 7,203,186) in view of Gainsboro (U.S. Patent 5,655,013).

**For claim 1**, Fuller et al. disclose a call processing system for processing calls associated with a facility, comprising:

a first processor-based system coupled to a plurality of telephone terminals disposed within the facility, the first processor-based system disposed at the facility (*see column 5 lines 4-56 and figure 1, which recite a processor-based system comprising computer 17, modem 22, and Call Forwarding Manager 24 coupled to a plurality of telephone terminals 18 in facility 16*),

the first processor-based system transmitting first voice signals associated with one or more of the plurality of telephone terminals via a digital data link (*see column 5 lines 4-21 and figure 1, which recite processor-based system 17, 22, 24 that transmits voice signals associated with IP telephones 18 via Ethernet digital data link 20*); and

a second processor-based system coupled to the first processor-based system and disposed remotely from the facility, the second processor-based system establishing calls to called parties requested by the one or more of the plurality of telephone terminals (*see column 10 lines 24-35 and figure 1, which recite a voice gateway 44 remotely coupled to processor-based system 17, 22, 24 to establish calls to called parties requested by IP telephones 18*),

the second processor-based system converting the first voice signals for transmission over a carrier network responsive to receiving the first voice signals via the digital data link, the second processor-based system converting second non-VoIP (Voice over Internet Protocol) voice signals from the called parties received via the carrier network to second VoIP voice signals for transmission to the first processor-based system via the digital data link (*see column 2 lines 7-15 and column 10 lines 24-35, which recite a voice gateway 44 that converts between VoIP H.323 signals received from IP telephones 18 and non-VoIP signals received from called parties in PTSN carrier network 12*).

Fuller et al. disclose all the subject matter of the claimed invention with the exception that the facility coupled to a plurality of telephone terminals comprises one or more prison facilities and the second processor-based system monitors the second non-VoIP voice signals to detect fraudulent or unauthorized call activity in the calls. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*).

Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 2**, Fuller et al. a call processing system wherein the first voice signals and the second VoIP voice signals are transmitted between the first processor-based system and the second processor-based system via voice over Internet protocol data (*see column 10 lines 24-31*).

**For claim 3**, Fuller et al. a call processing system wherein the first processor-based system switches the calls based on control by the second processor-based system (*see column 10 lines 28-31, which recite a voice gateway 44 that controls which protocol is used to switch the call*).



**For claim 4**, Fuller et al. a call processing system wherein the second processor-based system performs call routing for the calls (*see column 10 lines 24-31, which recite the voice gateway 44 that routes calls to the destination telephone*).

**For claim 5**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the second processor-based system verifies personal identification number (PIN) of a caller placing a call by one of the plurality of telephone terminals. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*). The TMU further validates a call by verifying the PIN of a caller (*see column 1 lines 48-49 and column 6 lines 8-9*), determines whether a call is accepted by a called party (*see column 3 lines 39-52*), and processes billing information associated with the call (*see column 6 lines 9-20*).

Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the

TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 6**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the second processor-based system processes billing associated with placing a call using the plurality of telephone terminals. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*). The TMU further validates a call by verifying the PIN of a caller (*see column 1 lines 48-49 and column 6 lines 8-9*), determines whether a call is accepted by a called party (*see column 3 lines 39-52*), and processes billing information associated with the call (*see column 6 lines 9-20*).

Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by

Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 7**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the second processor-based system comprises a call processing platform providing at least one of billing, validation and routing associated with the calls made via the first processor-based system. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*). The TMU further validates a call by verifying the PIN of a caller (*see column 1 lines 48-49 and column 6 lines 8-9*), determines whether a call is accepted by a called party (*see column 3 lines 39-52*), and processes billing information associated with the call (*see column 6 lines 9-20*).

Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities

as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 8**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the call processing platform provides at least one of billing, validation and routing associated with calls made via a third processor-based system disposed at another prison facility. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*). The TMU further validates a call by verifying the PIN of a caller (*see column 1 lines 48-49 and column 6 lines 8-9*), determines whether a call is accepted by a called party (*see column 3 lines 39-52*), and processes

billing information associated with the call (*see column 6 lines 9-20*). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 9**, Fuller et al. a call processing system wherein the first processor-based system comprises a voice over Internet protocol gateway coupled between the plurality of telephone terminals and the digital data link (*see column 5 lines 4-56 and figure 1, which recite a processor-based system comprising computer 17, modem 22, and Call Forwarding Manager 24 for processing H.323 VoIP traffic between a plurality of telephone terminals 18 and digital DSL link 34*).

**For claim 10**, Fuller et al. a call processing system wherein the second processor-based system comprises a network edge device coupled to the digital data link (*see figure 1, voice gateway 44 coupled to digital link 34 via DSLAM 40*).

**For claim 11**, Fuller et al. a call processing system wherein the network edge device comprises a gateway between the digital data network and the carrier network (*see figure 1, voice gateway 44 coupled between a digital link 34 via DSLAM 40 and carrier network PTSN 12*).

**For claim 12**, Fuller et al. a call processing system wherein the carrier network comprises a public switched telephone network (*see figure 1, voice gateway 44 and carrier network PTSN 12*).

**For claim 13**, Fuller et al. a call processing system wherein the network edge device comprises a voice over Internet protocol gateway (*see figure 1, which recite a voice gateway 44 that processes H.323 VoIP data*).

**For claim 14**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the fraudulent or unauthorized call activity comprises a three-way call. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the

a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 16**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the second processor-based system provides performs speech recognition on the calls placed by the plurality of telephone terminals. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity using speech recognition (*see column 5 lines 17-29*), call recording (*see column 4 lines 31-32*), and billing processing (*see column 6 lines 9-20*). If unauthorized activity is detected, the call may be discontinued (*see column 6 lines 36-40*). Thus, it would have been obvious to the person of ordinary skill in the art

at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 19**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the second processor-based system performs call monitoring and call recording on the calls placed by the plurality of telephone terminals. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity using speech recognition (*see column 5 lines 17-29*), call recording (*see column 4 lines 31-32*), and billing processing (*see column 6 lines 9-20*). If unauthorized activity is detected, the call may be discontinued (*see*



*column 6 lines 36-40*). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 21**, Fuller et al. disclose a facility call processing system comprising:

a call processing platform coupled, via digital data links, to a facility located remotely from at least one of the facility, the call processing platform being coupled to a carrier network for establishing calls from a plurality of telephone terminals in the facility (*see column 10 lines 24-35 and figure 1, which recite a voice gateway 44 coupled to carrier network 12 to establish calls to called parties requested by IP telephones 18 at facility 16*),

the call processing platform receiving first voice signals from the facility via the digital data links and sending the first voice signals over a carrier network to called parties, the call

processing platform receiving second non-VoIP (Voice over Internet Protocol) voice signals from the called parties via the carrier network and converting the second non-VoIP voice signals to second VoIP voice signals for transmission over the digital data links to the facility (*see column 2 lines 7-15 and column 10 lines 24-35, which recite a voice gateway 44 that converts between VoIP H.323 signals received from IP telephones 18 and non-VoIP signals received from called parties in PTSN carrier network 12*), and

call processing gateways associated with the facility to process the second VoIP voice signals for transmission to the plurality of telephone terminals, the call processing gateways generating the first voice signals responsive to receiving call signals from the plurality of telephone terminals (*see column 5 lines 4-56 and figure 1, which recite a processor-based system comprising computer 17, modem 22, and Call Forwarding Manager 24 coupled to a plurality of telephone terminals 18 in facility 16 to transmit and receive voice signals associated with IP telephones 18*).

Fuller et al. disclose all the subject matter of the claimed invention with the exception that the facility coupled to a plurality of telephone terminals comprises one or more prison facilities and the call processing platform monitors the second non-VoIP voice signals to detect fraudulent or unauthorized call activity in the calls. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*).

Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 22**, Fuller et al. disclose a call processing system wherein the digital data links provide voice over Internet protocol data communication between the plurality of prison facilities and the call processing platform (*see column 10 lines 24-31*).

**For claim 24**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the fraudulent or unauthorized call activity comprises a three-way call. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2

(TMU) *(see column 4 lines 5-10 and figure 1)*. The TMU monitors fraudulent or unauthorized call activity such as three-way calling *(see column 4 lines 34-41)*. Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities *(see column 3 lines 11-15)*.

**For claim 30**, Fuller et al. a call processing system wherein the call processing gateways provide interfacing between at least one analog telephone line interface and the digital data links *(see column 5 lines 57-64)*.

**For claim 31**, Fuller et al. a call processing system wherein the call processing gateways comprise voice over Internet protocol gateways *(see column 5 lines 4-56 and figure 1, which recite a processor-based system comprising computer 17, modem 22, and Call Forwarding*

*Manager 24 for processing H.323 VoIP traffic between a plurality of telephone terminals 18 and digital DSL link 34).*

**For claim 32,** Fuller et al. a call processing system wherein the call processing gateways provide at least one local area network interface for coupling a computer workstation to the call processing platform via the digital data links (*see column 5 lines 41-47*).

**For claim 34,** Fuller et al. disclose a method for providing facility call processing, in a centralized call processing platform, the method comprising:

establishing a call from one of a plurality of telephone terminals in a facility received via a digital data link to a called party outside the facility, at least one of the plurality of prison facilities located remotely from the centralized call processing platform (*see column 10 lines 24-35 and figure 1, which recite a voice gateway 44 coupled to carrier network 12 to establish calls to called parties requested by IP telephones 18 at facility 16*);

receiving a first voice signal from the one of the plurality of telephone terminals; converting the first voice signal for transmission over a carrier network; receiving a second non-VoIP (Voice over Internet Protocol) second voice signal from the called party via the carrier network; converting the second non-VoIP voice signal to a second VoIP voice signal for transmission over the digital data link to the one of the plurality of telephone terminals (*see column 2 lines 7-15 and column 10 lines 24-35, which recite a voice gateway 44 that converts between VoIP H.323 signals received from IP telephones 18 and non-VoIP signals received from called parties in PTSN carrier network 12*); and

Fuller et al. disclose all the subject matter of the claimed invention with the exception that the facility coupled to a plurality of telephone terminals comprises one or more prison

facilities and the second non-VoIP voice signals are monitored to detect fraudulent or unauthorized call activity in the calls. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*).

Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 36**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the fraudulent or unauthorized call activity comprises a three-way call. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 38**, Fuller et al. disclose a call processing method wherein the method includes routing the call to the called party (*see column 10 lines 24-31, which recite the voice gateway 44 that routes calls to the destination telephone*). Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the call processing system further comprises validating an the call from the one of a plurality of telephone terminals, determining acceptance of the call by the called party, the call established responsive to the acceptance of the call by the called party; and creating call billing information associated with the call. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity such as three-way calling (*see column 4 lines 34-41*). The TMU further validates a call by verifying the PIN of a caller (*see column 1 lines 48-49 and column 6 lines 8-9*), determines whether a call is accepted by a called party (*see column 3 lines 39-52*), and processes billing information associated with the call (*see column 6 lines 9-20*).

Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by



Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 39**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the call processing system and method further performs speech recognition on the call. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity using speech recognition (*see column 5 lines 17-29*), call recording (*see column 4 lines 31-32*), and billing processing (*see column 6 lines 9-20*). If unauthorized activity is detected, the call may be discontinued (*see column 6 lines 36-40*). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The

TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 40**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the call processing system and method further records the call. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity using speech recognition (*see column 5 lines 17-29*), call recording (*see column 4 lines 31-32*), and billing processing (*see column 6 lines 9-20*). If unauthorized activity is detected, the call may be discontinued (*see column 6 lines 36-40*). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility

containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 41**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the second processor-based system discontinues the calls responsive to detecting the fraudulent or unauthorized call activity in the calls. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity using speech recognition (*see column 5 lines 17-29*), call recording (*see column 4 lines 31-32*), and billing processing (*see column 6 lines 9-20*). If unauthorized activity is detected, the call may be discontinued (*see column 6 lines 36-40*). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be

implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 42**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the call processing platform discontinues the calls responsive to detecting the fraudulent or unauthorized call activity in the calls. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity using speech recognition (*see column 5 lines 17-29*), call recording (*see column 4 lines 31-32*), and billing processing (*see column 6 lines 9-20*). If unauthorized activity is detected, the call may be discontinued (*see column 6 lines 36-40*). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller at

al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

**For claim 43**, Fuller et al. disclose all the subject matter of the claimed invention with the exception wherein the call processing system and method further comprises discontinuing the call responsive to detecting the fraudulent or unauthorized call activity. However, Gainsboro from the same or similar fields of endeavor disclose a method and apparatus for managing telephone activity in a prison facility (*see column 3 lines 11-15*). Inmate telephone units 1 are connected to outside telephone lines through Trunk Management Unit 2 (TMU) (*see column 4 lines 5-10 and figure 1*). The TMU monitors fraudulent or unauthorized call activity using speech recognition (*see column 5 lines 17-29*), call recording (*see column 4 lines 31-32*), and billing processing (*see column 6 lines 9-20*). If unauthorized activity is detected, the call may be discontinued (*see column 6 lines 36-40*). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the method and apparatus for managing

telephone activity in prison facilities as taught by Gainsboro with the a call processing system as taught by Fuller et al. The method and apparatus for managing telephone activity in prison facilities can be implemented by installing the processor-based system 17, 22, 24 and IP telephones 18 of facility 16 as taught by Fuller et al. in one or more of the prison facility containing inmate telephones as taught by Gainsboro. The TMU 2 that monitors fraudulent or unauthorized call activity as taught by Gainsboro can be coupled with the voice gateway 44 as taught by Fuller et al. Together, the TMU 2 and voice gateway 44 can be connected to one or more prison facilities to facilitate telephone communications. The voice gateway 44 converts VoIP traffic into analog POTS phone signals that is suitable for monitoring by the TMU. The motivation for using the method and apparatus for managing telephone activity in prison facilities as suggested by Gainsboro with the call processing system as taught by Fuller et al. is to provide improved security and security in telephone communications in prison facilities (*see column 3 lines 11-15*).

#### ***Response to Arguments***

14. Applicant's arguments with respect to claims 1-14, 16, 19, 21, 22, 24, 30-32, 34, 36, 38-43 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form PTO-892*).

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BEN H. LIU whose telephone number is (571)270-3118. The examiner can normally be reached on 9:00AM to 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571)272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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